

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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DR. BRIMA SYLLA et, al.

No.: 23-CV-05261

Plaintiffs,

-against

AMAZON LABOR UNION et. al.

Defendants.
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DECLARATION OF MICHELLE NIEVES

I, Michelle Nieves, hereby declare:

1. I am currently the Vice President of the Amazon Labor Union. I obtained that position in May of 2023. Prior to that I was the Recording Secretary;
2. The information contained herein is based on my personal knowledge and if called upon, I could testify in a court of law to the accuracy of the matters set forth herein.
3. I began my service as Recording Secretary on June 1, 2022 after the resignation of Karen Ponce.
4. As recording secretary, I am responsible for all the recordkeeping and required filings of the Union. Further I am responsible for keeping the minutes of all meetings, including the rank and file meetings, and the executive Board meetings. I am also the person responsible for receiving and processing all complaints received from the union's membership.
5. I submit this Declaration in response to the Plaintiff's claiming at paragraph 34 of their complaint that in June of 2022 the Executive Leadership of the ALU met with its lawyers to revise our original constitution which is called Constitution 1, and that thereafter the

revised constitution was adopted first by a vote of the Executive Board and then by the membership using our on-line slack chat. This allegation is not true.

6. I attach as Exhibit 1, the June 1 minutes of the organizers meeting.
7. I attach as Exhibit 2 the June 2 minutes of the Executive Board
8. I attach as Exhibit 3 the June 10, 2022 minutes of the executive board
9. I attach as Exhibit 4 the June 27th minutes of the Executive Board.
10. In none of these meetings was there any discussion of a new constitution or anyone being asked to review and approve such a constitution.
11. All union meetings are recorded. I have reviewed the recordings from June of 2022.
12. In none of these meetings is there any mention of a revised constitution being presented for review or adoption or the adoption by the executive board of such a constitution.
13. I have also reviewed the slack chat for the month of June and at no time did anyone advise the group of a new constitution being written or ask for a vote on the new constitution.
14. On November 6, 2022 at an executive board meeting, we discussed having a meeting to finalize the constitution on November 18, 2022. In that meeting Mr. Spence did not protest or claim that finalizing the new constitution was not needed.
15. On the recording of the Board meeting of November 6th, Mr. Spence states that it should not take much time to discuss the constitution because he had already inputted a lot of the changes that Retu, [Singla] had suggested when we had first met. He made no objection to any review of the constitution based on a claim that the union already finalized the constitution in June.
16. On November 6, I circulated the notice of the November 18, 2022 board meeting

which clearly stated that the executive officers would be going over the constitution with the legal team. I attach as Exhibit 5, the notice of the meeting.

17. At the end of the November 6, 2022 meeting, Mr. Spence stated he would be resigning at the end of November.

18. At paragraph 60 of the complaint, it is claimed that from late November through early December the President, Vice President and Secretary met with attorney Singla two times to revise the Constitution, and that Spence was excluded from those meeting.

19. This is not true. The only time we met with the legal team to finalize the constitution was on November 18, 2022 Mr. Spence did not show up at the meeting. I therefore, sent him the zoom invite again. I attach as Exhibit 6 the text invitation and Mr. Spence's response in which he claims he had another appointment and he would follow up with Retu.

20. On November 21, 2022 Mr. Spence filed his resignation which I attach as Exhibit 7.

21. He resigned as Secretary Treasurer on November 30, 2022. He would not have attended any executive board meetings after his resignation.

I declare and certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.



Michelle Nieves

Dated July 12, 2023
New York, New York

EXHIBIT 1

June 1 2022

1 hour

Alu organizer meeting

**Attendance Jason martin Michael
Tristan angie Tristan chris Enlly
Justine Brima steve**

Agenda Pat Cioffi next steps,

**Zoom etiquette, discuss how
Avoid write ups and termination**

**we discussed appeals process protecting
ourselves inside of Amazon try to
do in direct roles document all
interactions with management,
Alu vest at all times.**

Action items

**How to get recognition, Juntienth pay ,jessica ramos bill and entire
group will attend labor notes**

Minutes taken by Michelle Valentin Nieves

EXHIBIT 2

June 2, 2022 time 1 hour

Attendance

angie Connor Derrick Gerald Chris maddie Brett mitch

Topic

mitch and Maddie ALU newsletter written by Mat Cusick

**disussion over-a newsletter written by mat Cuscick to the entire
Email list of JFK8 Mitch admitted to leaking sensitive executive
board information
to mat Cusick final warning was given to mitch and maddie .**

Minutes taken by Michelle Valentin Nieves

EXHIBIT 3

June 10, 2022

I hour

attendance Kathleen, Derrick Connor, angie, Chris,

Topic

New office space, all the eboard will have thier own office

We discussed the code of Conduct who will have spare keys ? Also all meetings beed to be scheduled and agreed upon .

No Pop Ups !

Payroll status TBD

Minutes taken by Michelle Valentin Nieves

No pop ups !

all

**Scheduled and
to**

agreed

Pay roil Status

EXHIBIT 4

June 27, 2022 1 hour

Attendance

Chris Derick Kathleen angie connor

Eboard Budget meeting.

we discussed why connor wanted to pay pat cioffi a \$600.00 stipend for organizing when all of our other organizers are unpaid there was some back and forth between connor and angie , Chris stated the postal service union offered to donate 250k and he would keep us updated on that .

Minutes taken by Michelle Valrntin Nieves

EXHIBIT 5

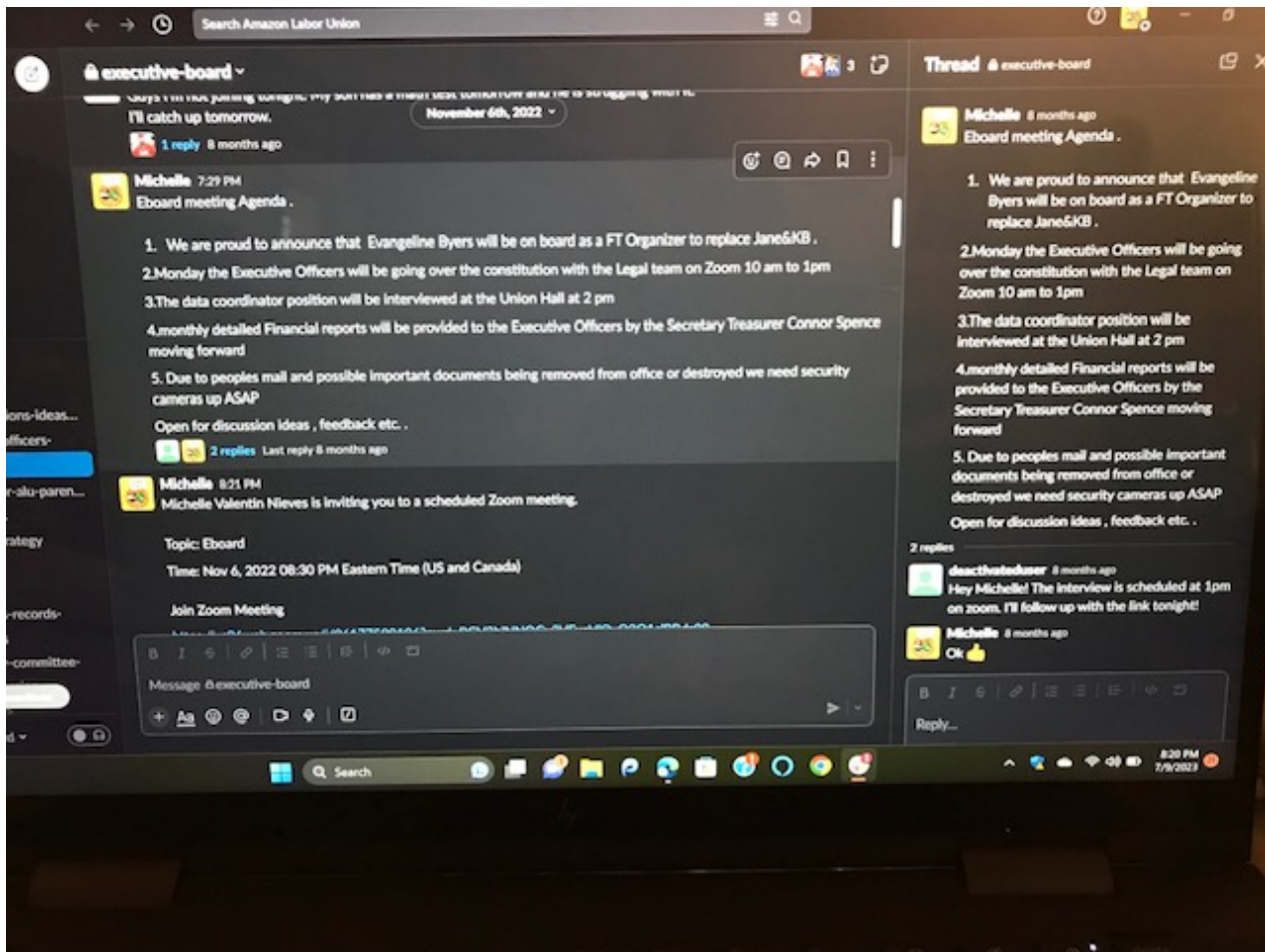
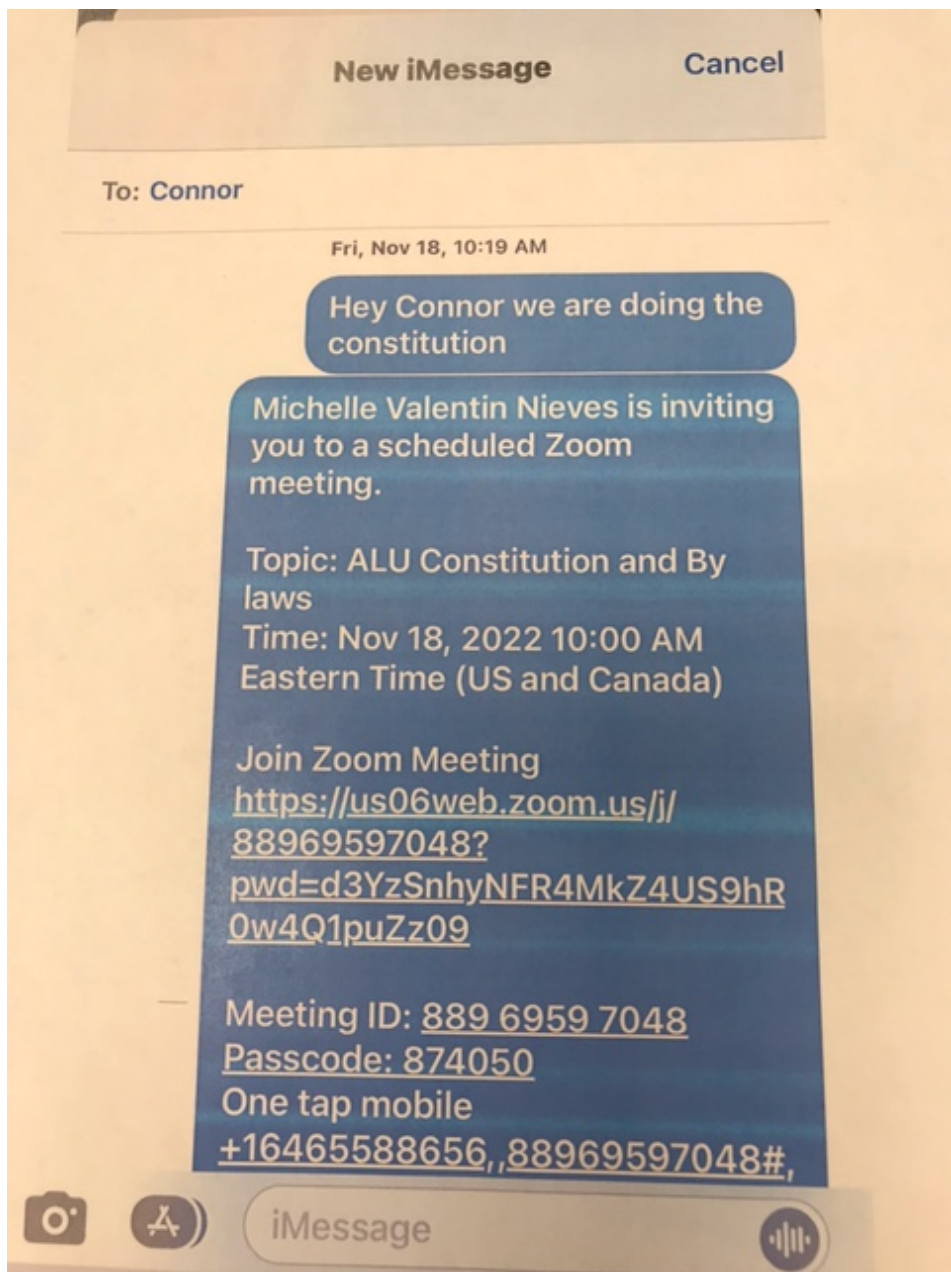


EXHIBIT 6



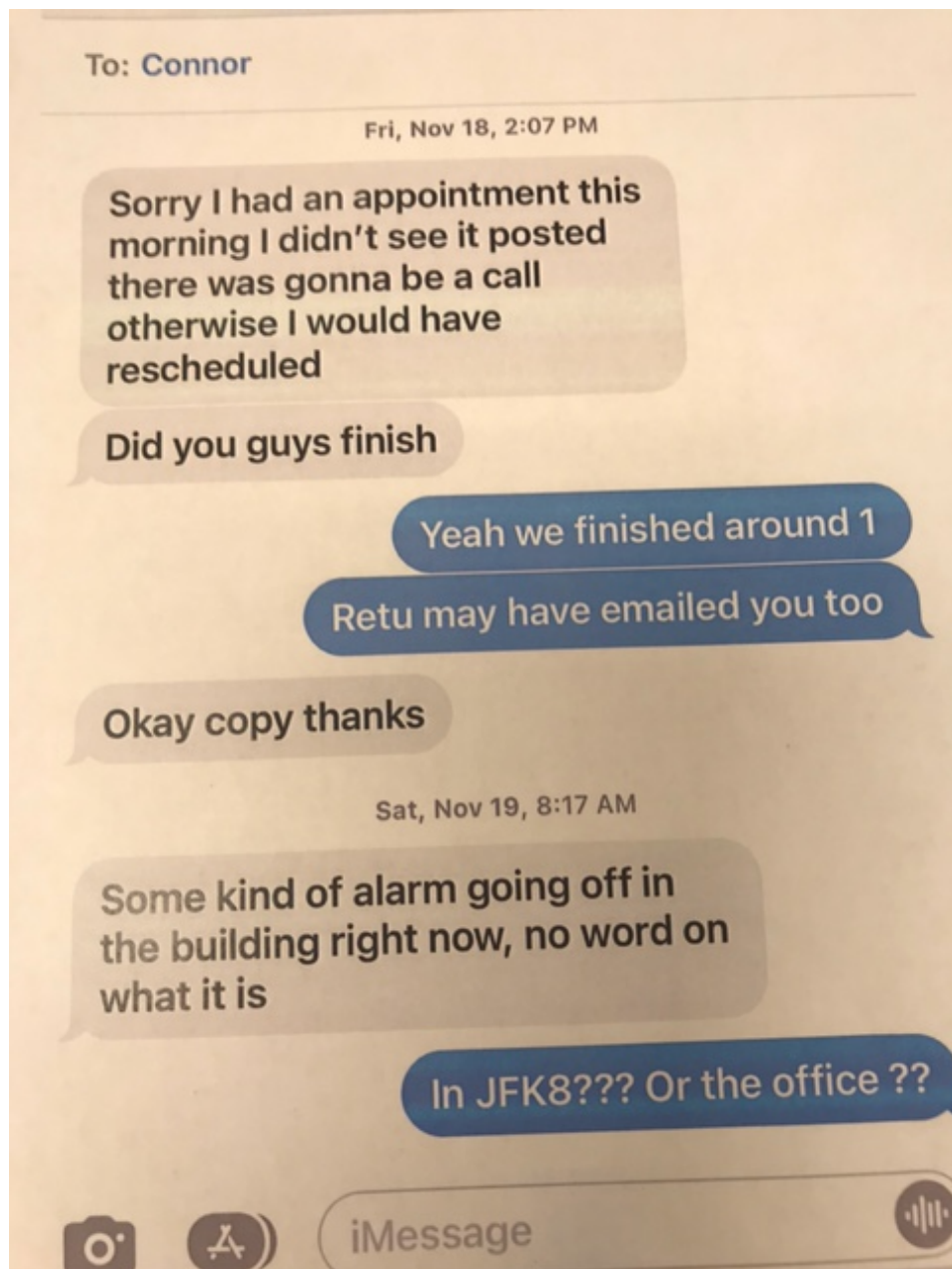


EXHIBIT 7

11/21/22

Amazon Labor Union
900 South Ave.
Suite 100
Staten Island, NY 10314

Re: Formal Resignation

As the executive board was informed in our virtual zoom meeting on November 6th, 2022, I will be resigning from my position as Secretary-Treasurer effective November 30th. Please accept this letter as formal notice.

Regards,
Connor Spence
848-210-0636